IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No.3987 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?

2. To be referred to the Reporter or not?

3. Whether Their Lordships wish to see the fair copy of the judgement?

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?

HARIBHAI SOMABHAI

Versus

STATE OF GUJARAT

Appearance:

MR PH PATHAK for Petitioner

MR VB GHARANIA, AGP, for Respondent-State

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 08/04/97

ORAL JUDGMENT

The learned counsel for the petitioners submitted that this matter is squarely covered by the decision given by this Court in the identical matters. The zerox copy of the Judgment of this Court is also filed by the learned counsel for the petitioners. The learned counsel for the respondents does not dispute this fact. Both the parties are in agreement that order in this Special Civil Application may be passed on the same lines to the order

which has been passed by this Court in Special Civil Application No.2397 of 1995 on 21st March 1997. Order accordingly.

2. This writ petition is disposed of in terms that the Government Resolution dated 17th October 1988 is applicable to the employees of the Forest Department as well and they are entitled to the benefit under the Government Resolution dated 17th October 1988 for the period from 1.10.88, i.e. the date from which the Resolution was made effective and onwards and the amount which may be found to be due shall be examined in each and every case and shall be paid to the petitioners at the earliest possible opportunity, but not later than 30.6.97. The petitioners in this case are employees of the Forest Department and are governed by the same Resolution and entitled to same benefits as directed by the two decisions, i.e. in the group of cases Specail Civil Applications No.4565, 4575, 4678 and 4680 of 1995, decided on 4.3.96 and decision in the case of Special Civil Application No.8590 of 1996 decided on 11.3.97.

3. This writ petition accordingly stand partly allowed to the extent stated above. The other contentions have not been pressed by the learned counsel for the petitioners. Rule is made absolute to that extent with no order as to costs.

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(sunil)